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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

|                        |                       |
|------------------------|-----------------------|
| Application Number     | 10/805,176            |
| Filing Date            | March 19, 2004        |
| First Named Inventor   | Reid H. Bowman et al. |
| Art Unit               | 1724                  |
| Examiner Name          | Unknown               |
| Attorney Docket Number | 27566-6               |

42

### ENCLOSURES (Check all that apply)

|  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                             | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to TC                            |
| <input checked="" type="checkbox"/> Fee Attached                                     | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input type="checkbox"/> Amendment/Reply   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                                   | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter  |
| <input checked="" type="checkbox"/> Extension of Time Request                        | <input type="checkbox"/> Change of Correspondence Address                 | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                                 | <input type="checkbox"/> Terminal Disclaimer                              | <input type="checkbox"/> - Return Receipt Postcard                                      |
| <input checked="" type="checkbox"/> Information Disclosure Statement                 | <input type="checkbox"/> Request for Refund                               | <input type="checkbox"/> - Form PTO 2038  |
| - 1 non-patent reference   | <input type="checkbox"/> CD, Number of CD(s) _____                        | <input type="checkbox"/> - Executed Declaration   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                      | <input type="checkbox"/> Landscape Table on CD                            |   |
| <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application   | Remarks   |   |
| <input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |   |          |        |
|--------------|---|----------|--------|
| Firm Name    | Benesch, Friedlander, Coplan & Aronoff, LLP |          |        |
| Signature    |   |          |        |
| Printed name | Gregory S. Kocolouris                       |          |        |
| Date         | December 2, 2004                            | Reg. No. | 47,714 |

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

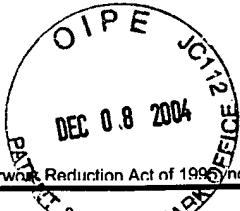
Typed or printed name

Leslie Ann Kuder

Date December 2, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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Effective on 10/01/2004. Patentees are subject to annual revision.

# FEE TRANSMITTAL

## For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,225.00)

## Complete if Known

|                      |                       |
|----------------------|-----------------------|
| Application Number   | 10/805,176            |
| Filing Date          | March 19, 2004        |
| First Named Inventor | Reid H. Bowman et al. |
| Examiner Name        | Unknown               |
| Art Unit             | 1724                  |
| Attorney Docket No.  | 27566-6               |

## METHOD OF PAYMENT (check all that apply)

 Check  Credit Card  Money Order  
 Deposit Account  None

 Deposit Account Number  
 Deposit Account Name

Benesch, Friedlander

02-2051

The Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below  
 Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  
 Credit any overpayments

to the above-identified deposit account.

 Other (please identify): \_\_\_\_\_

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Fee Description        | Fee (\$) | Small Entity Fee (\$) | Fee Paid (\$) |
|------------------------|----------|-----------------------|---------------|
| Utility Filing Fee     | 790      | 395                   | <u>395.00</u> |
| Design Filing Fee      | 350      | 175                   | _____         |
| Plant Filing Fee       | 550      | 275                   | _____         |
| Reissue Filing Fee     | 790      | 395                   | _____         |
| Provisional Filing Fee | 160      | 80                    | _____         |
| Subtotal (1) \$        |          | 395.00                | _____         |

## FEE CALCULATION (continued)

## 2. EXTRA CLAIM FEES

| Fee Description   | Fee (\$) | Small Entity Fee (\$) |
|---|----------|-----------------------|
| Each claim over 20  | 18       | 9                     |
| Each independent claim over 3   | 88       | 44                    |
| Multiple dependent claims   | 300      | 150                   |
| For Reissues, each claim over 20 and more than in the original patent | 18       | 9                     |
| For Reissues, each independent claim more than in the original patent | 88       | 44                    |

|              |                |          |               |
|--------------|----------------|----------|---------------|
| Total Claims | Extra Claims   | Fee (\$) | Fee Paid (\$) |
| _____        | - 20 or HP = 0 | _____    | = 0           |

 HP = highest number of total claims paid for, if greater than 20

|               |               |          |               |
|---------------|---------------|----------|---------------|
| Indep. Claims | Extra Claims  | Fee (\$) | Fee Paid (\$) |
| _____         | - 3 or HP = 0 | _____    | = 0           |

 HP = highest number of independent claims paid for, if greater than 3

|                           |          |               |
|---------------------------|----------|---------------|
| Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
| _____                     | _____    | _____         |

Subtotal (2) \$ 0

## 3. OTHER FEES

| Fee Description                     | Fee (\$) | Small Entity Fee (\$) | Fee Paid (\$) |
|-------------------------------------|----------|-----------------------|---------------|
| 1-month extension of time           | 110      | 55                    | _____         |
| 2-month extension of time           | 430      | 215                   | _____         |
| 3-month extension of time           | 980      | 490                   | _____         |
| 4-month extension of time           | 1,530    | 765                   | 765.00        |
| 5-month extension of time           | 2,080    | 1,040                 | _____         |
| Information disclosure stmt. fee    | 180      | 180                   | _____         |
| 37 CFR 1.17(q) processing fee       | 50       | 50                    | _____         |
| Non-English specification           | 130      | 130                   | _____         |
| Notice of Appeal                    | 340      | 170                   | _____         |
| Filing a brief in support of appeal | 340      | 170                   | _____         |
| Request for oral hearing            | 300      | 150                   | _____         |
| Other: Response to Missing Parts    | 65.00    | 65.00                 | _____         |

Subtotal (3) \$ 830.00

## SUBMITTED BY

|                   |                       |   |                        |
|-------------------|-----------------------|---|------------------------|
| Signature         |                       | Registration No. 47,714<br>(Attorney/Agent) | Telephone 216-363-4453 |
| Name (Print/Type) | Gregory S. Kocolouris |   | Date December 2, 2004  |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF : Reid H. Bowman et al.  
TITLE : SYSTEM AND METHOD FOR REMEDIATING  
CONTAMINATED SOIL AND GROUNDWATER  
IN SITU  
SERIAL NO. : 10/805,176  
FILING DATE : March 19, 2004  
CONFIRMATION NO. : 1724  
ATTORNEY DOCKET NO. : 27566.6

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS**  
**OF NON-PROVISIONAL APPLICATION**

Dear Sir:

In response to the Notice to File Missing Parts with a date of mailing of June 3, 2004, enclosed are the following items:

1. Fee Transmittal;
2. PTO Form 2038 (Credit Card Authorization Form) Charging the \$65.00 Fee Due;
3. Request for 4 month extension of time;
4. Copy of the Notice to File Missing Parts;
5. Copy of a properly executed Combined Declaration and Power of Attorney; and

6. Return Receipt Postcard.

The foregoing submission is believed to meet the requirements of the Notice to File Missing Parts. The Commissioner is authorized to charge any additional fees or credit any overpayments to Deposit Account No. 02-2051, identifying our Docket No. 27566-6.

Respectfully submitted,

Dated: December 2, 2004

By:

  
\_\_\_\_\_  
Gregory S. Kocolouris

Registration No. 47,714

BENESCH, FRIEDLANDER  
COPLAN & ARONOFF LLP  
2300 BP Tower  
200 Public Square  
Cleveland, OH 44114-2378  
(216) 363-4453



## UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 08 2004

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/805,176         | 03/19/2004             | Reid H. Bowman        | 27566.6                |

21130  
 BENESCH, FRIEDLANDER, COPLAN & ARONOFF LLP  
 ATTN: IP DEPARTMENT DOCKET CLERK  
 2300 BP TOWER  
 200 PUBLIC SQUARE  
 CLEVELAND, OH 44114

CONFIRMATION NO. 7417  
 FORMALITIES LETTER



\*OC000000012857109\*

Date Mailed: 06/03/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$36** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$486** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

12/09/2004 EAREGAY1 00000032 10805176

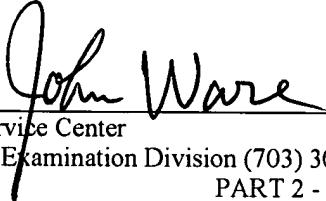
01 EC:2001  
02 FC:2051395.00 0P  
65.00 0P

- Total additional claim fee(s) for this application is \$36
  - \$36 for 4 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



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PART 2 - COPY TO BE RETURNED WITH RESPONSE